

**REMARKS**

This paper is in response to the Office Action mailed on January 2, 2004.

Claims 1, 3, 7, 8, 14-16, 18, 20-23, 35, 38, 48, 51, 61-63, 69, 73, 77, and 84 are amended, claims 2, 17, and 99-113 are canceled, and claims 114-115 are added; as a result, claims 1, 3-16, 18-98 are now pending in this application.

Claims 2, 17, 99-113 are canceled without prejudice or disclaimer. Applicant expressly reserves the right to reintroduce the subject matter of these claims in subsequent prosecution.

The amendments to the claims are fully supported by the specification as originally filed. No new matter is introduced. Applicant respectfully requests reconsideration of the above-identified application in view of the amendments above and the remarks that follow.

**Claim Objection**

The Office Action objected to claim 62 under 37 CFR 1.75(c). Applicant herein amends claim 62 to correct a typographical error. Applicant requests withdrawal of the objection and further examination of claim 62.

**Reservation of the Right to Swear Behind References**

Applicant maintains its right to swear behind any documents which are cited in a rejection under 35 U.S.C. §§102(a), 102(e), 103/102(a), and 103/102(e). Statements distinguishing the claimed subject matter over the cited documents are not to be interpreted as admissions that the documents are prior art.

**§102 Rejection of the Claims**

Claims 23, 29-35, 37, 106, and 109-112 were rejected under 35 USC § 102(e) as being anticipated by Powers et al. (Powers), U.S. Pat. No. 6,362,817. Applicant respectfully traverses.

Applicant respectfully submits that the Office Action has not made a *prima facie* case of anticipation. Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *In re Dillon* 919 F.2d 688, 16 USPQ 2d 1897, 1908 (Fed. Cir. 1990) (en banc), cert. denied, 500 U.S. 904 (1991). It is not enough, however, that the prior art

reference discloses all the claimed elements in isolation. Rather, “[a]nticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added). “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); MPEP § 2131.

Applicant can not find where Powers teaches all of the features of claim 23. For example, applicant can not find where Powers teaches each 3D building block having data defining *visible geometry internal to the block for defining a portion of a 3D virtual environment and an internal geometry interface*, or *joining internal geometry interfaces* of the blocks using said position data, to generate a 3D virtual environment defined by a plurality of said blocks, as recited in claim 23 [italics added]. As applicant can not find where Powers teaches all of the features as recited in claim 23, applicant requests reconsideration and allowance of claim 23 and claims 29-34 depending therefrom.

Applicant can not find where Powers teaches all of the features of claim 35. For example, applicant can not find where Powers teaches each 3D building block having data defining *visible geometry internal to the block for defining a portion of a 3D virtual environment and an internal geometry interface* or to join *said internal geometry interfaces* of the blocks using said position data, to generate a 3D virtual environment defined by a plurality of said blocks [italics added] as recited in claim 35. As applicant can not find where Powers teaches all of the features as recited in claim 35, applicant requests reconsideration and allowance of claim 35 and claim 37 depending therefrom.

Claims 106, and 109-112 where cancelled without prejudice. Accordingly the rejection thereof is now moot.

Claims 51, 52, 55, 60, 77, 79, 80, 84, 86, and 87 were rejected under 35 USC § 102(e) as being anticipated by Miodonski et al. (Miodonski), U.S. Pat. No. 6,414,679. Applicant

respectfully traverses and asserts that the office action has failed to make a *prima facie* case of anticipation.

Applicant can not find where Miodonski teaches all of the features of claim 51. For example, applicant can not find where Miodonski teaches the elements having *visible geometry internal to the elements for defining portions of said virtual 3D environment and internal geometry interfaces* for connecting one element to another and inputting instructions from the user for assembling the elements into a structure in which the elements are connected at the *internal geometry* interfaces, the structure representing the virtual 3D environment as recited in claim 51 [italics added]. As applicant can not find where Miodonski teaches all of the features as recited in claim 51, applicant requests reconsideration and allowance of claim 51 and claims 52, 55, and 60 depending therefrom.

Applicant can not find where Miodonski teaches all of the features of claim 77. For example, applicant can not find where Miodonski teaches each constructional element having geometry defining an internal three-dimensional space and having at least one internal geometry interface for connecting the element to another of said predetermined elements as recited in claim 77. As applicant can not find where Miodonski teaches all of the features as recited in claim 77, applicant requests reconsideration and allowance of claim 77 and claims 79 and 80 depending therefrom.

Applicant can not find where Miodonski teaches all of the features of claim 84. For example, applicant can not find where Miodonski teaches the data comprising internal 3D geometry data defining a 3D surface internal to said constructional element for use in defining a portion of a contiguous internal bounding surface of said virtual 3D environment as recited in claim 84. As applicant can not find where Miodonski teaches all of the features as recited in claim 84, applicant requests reconsideration and allowance of claim 84 and claims 86 and 87 depending therefrom.

#### §103 Rejection of the Claims

Claims 1, 2, 7-9, 11, 13, 14, 16, 17, 20, 21, 99, 100, 104, 105, and 114 were rejected under 35 U.S.C. 103(a) over Powers et al. (Powers), U.S. Pat. No. 6,362,817 in view of Foley et

al., "Computer Graphics: Principles and Practice" (Foley) further in view of Miodonski et al. (Miodonski), U.S. Pat. No. 6,414,679. Applicant respectfully traverses.

Applicant requests clarification of the rejection of claim 114 as stated in the office action. Applicant believes that claim 114 is initially added in this paper.

The Examiner has the burden under 35 U.S.C. § 103 to establish a *prima facie* case of obviousness. *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). To do that the Examiner must show that some objective teaching in the prior art or some knowledge generally available to one of ordinary skill in the art would lead an individual to combine the relevant teaching of the references. *Id.*

An invention can be obvious even though the suggestion to combine prior art teachings is not found in a specific reference. *In re Oetiker*, 24 USPQ2d 1443 (Fed. Cir. 1992). At the same time, however, although it is not necessary that the cited references or prior art specifically suggest making the combination, there must be some teaching somewhere which provides the suggestion or motivation to combine prior art teachings and applies that combination to solve the same or similar problem which the claimed invention addresses. One of ordinary skill in the art will be presumed to know of any such teaching. (See, e.g., *In re Nilssen*, 851 F.2d 1401, 1403, 7 USPQ2d 1500, 1502 (Fed. Cir. 1988) and *In re Wood*, 599 F.2d 1032, 1037, 202 USPQ 171, 174 (CCPA 1979)).

Applicant respectfully submits that the Office Action did not make out a *prima facie* case of obviousness in that even if combined, the cited references fail to teach or suggest all of the elements of Applicant's claimed invention.

Applicant can not find where Powers, Foley, and Miodonski, either alone or in combination, teach all of the features of claim 1. For example, applicant can not find where these three documents teach reading component data for the plurality of components from a data store, the component data including at least 3D *internal geometry* data for the components, *transforming the 3D internal geometry data* of the plurality of components using said component position data, *joining the components* by combining said transformed data for said plurality of components to provide 3D virtual environment data for said 3D virtual environment, said 3D virtual environment data *defining a substantially contiguous internal 3D surface enclosing said 3D virtual environment* as recited in claim 1 [italics added]. As applicant can not find where

Powers, Foley, and Miodonski teach all of the features as recited in claim 1, applicant requests reconsideration and allowance of claim 1 and claims 7-9, 11 and 13 depending therefrom.

Applicant further submits that Miodonski teaches away from the present invention as defined by claim 1. For example, Miodonski describes the use of one or more pre-defined images to generate a background for the 3D world, that is “the space behind the generated 3D object” (column 11 lines 22 to 26). Thus Miodonski clearly states that there is “space” behind an object at which must be filled by a background rather than a technique being employed which results in the definition of a contiguous 3D surface enclosing the 3D virtual environment, as recited in claim 1. Finally it is noted that although the introduction to the Miodonski invention refers to the difficulty of navigating through large, complex worlds, the solution to this problem taught by Miodonski is not enclosing the 3D virtual environment (which would not solve the problem since a large, complex virtual world could still be enclosed by a contiguous 3D surface) but is instead defining specific routes in the 3D world that a user may select automatically (column 7 lines 37 to 39; column 11 lines 12 to 13). Accordingly, Miodonski teaches away from the present invention as defined by claim 1.

There is no motivation to combine Powers and Miodonski as there is no reasonable expectation of success. One of ordinary skill in the art would not attempt to combine the teachings of Powers and Miodonski. This is because Powers uses a symbolic map description (column 1 line 22) whereas fundamental to Miodonski is the use of an alternative data structure, namely, that shown in Figure 2 in which, broadly speaking, a grid-type representation is employed. Nevertheless were the skilled person to attempt to apply the teaching of Miodonski to the system described in Powers to provide an improved system, it is respectfully submitted that there is nothing in Miodonski to teach the skilled person that a substantially contiguous internal 3D surface enclosing a 3D virtual environment should be employed – Miodonski is entirely silent on this. Furthermore there is nothing in either document to suggest joining a plurality of 3D components by combining transformed internal 3D geometry data as claimed.

Applicant can not find where Powers, Foley, and Miodonski, either alone or in combination, teach all of the features of claim 14. For example, applicant can not find where these three documents teach reading from a data store component data for the identified components from the identified set, the component data including at least 3D internal geometry

data for the components, transforming the 3D internal geometry data of the said components using said component position data; and combining the transformed data to provide 3D virtual environment data for said 3D virtual environment as recited in claim 14 [underlining added]. As applicant can not find where Powers, Foley, and Miodonski teach all of the features as recited in claim 14, applicant requests reconsideration and allowance of claim 14.

Applicant further submits that claims 16, 17, 20, and 21 are believed to be allowable for at least substantially similar reasons as stated above.

Claims 99, 100, 104, and 105 are cancelled without prejudice. Accordingly, the rejection thereof is now moot.

Claims 3-6, 15, 18, 19, 22, and 101-103 were rejected under 35 U.S.C. 103(a) over Powers, Foley, and Miodonski as applied above further in view of White et al. (White), U.S. Pat. No. 6,646,641. Applicant respectfully traverses.

Claims 3-6, 18, 19, and 22 are believed allowable at least based on their dependency from an allowable antecedent claim. Reconsideration and allowance are requested.

Applicant can not find where Powers, Foley, Miodonski, and White, either alone or in combination, teach all of the features of claim 15. For example, applicant can not find where these four documents teach reading component data for the identified components from a data store, the component data including 3D internal geometry data for the components; reading plug data for a component on the map with one or more interfaces not connected to other components; transforming the 3D internal geometry data of the said components using said component position data as recited in claim 15 [underlining added]. As applicant can not find where Powers, Foley, Miodonski, and White teach all of the features as recited in claim 15, applicant requests reconsideration and allowance of claim 15.

Claims 101-103 are cancelled without prejudice. Accordingly, the rejection thereof is now moot.

Claim 10 was rejected under 35 U.S.C. 103(a) over Powers, Foley, and Miodonski as applied above further in view of Bardon et al. (Bardon), U.S. Pat. No. 6,014,145. Applicant respectfully traverses. Claim 10 depends from claim 1 and is believed to be allowable therewith.

Claim 12 was rejected under 35 U.S.C. 103(a) over Powers, Foley, and Miodonski as applied above further in view of Luebke et al., "Portals and Mirrors: Simple, Fast Evaluation of Potentially Visible Sets" (Luebke). Applicant respectfully traverses. Claim 12 depends from claim 1 and is believed to be allowable therewith.

Claims 24, 25, 36, 107 and 108-103 were rejected under 35 U.S.C. 103(a) over Powers as applied to claims 23, 35 and 106 in view of White et al. (White), U.S. Pat. No. 6,646,641. Applicant respectfully traverses. Claims 24, 25, and 36 depend from claim 23, 24, and 35, respectively, and are believed to be allowable with their parent claim.

Claim 26 was rejected under 35 U.S.C. 103(a) over Powers in view of White as applied to claim 25 further in view of Luebke. Applicant respectfully traverses. Claim 26 depends from claim 25 and is believed to be allowable therewith.

Claims 27 and 28 were rejected under 35 U.S.C. 103(a) over Powers in view of White and Luebke as applied to claim 24 further in view of Bardon. Applicant respectfully traverses. Claims 27 and 28 depends from claim 24 and are believed to be allowable therewith.

Claims 38-40, 42, 47, 48 and 50 were rejected under 35 U.S.C. 103(a) over Powers in view of Foley and further in view of Bardon. Applicant respectfully traverses.

Applicant can not find where Powers, Foley, and Barton, either alone or in combination, teach all of the features of claim 38. For example, applicant can not find where these three documents teach each tile comprising tile data including tile internal visual geometry data for defining visual geometry of the 3D world and invisible game control data, transforming the internal visual geometry data into said world space, using the map data; joining said transformed internal visual geometry of said identified tiles to generate said world visual geometry data defining substantially contiguous internal 3D surface enclosing said 3D world, transforming the invisible game control data into the world space, using the map data, and combining said transformed invisible game control data of said identified tiles to generate said world game control data as recited in claim 38. As applicant can not find where Powers, Foley, and Barton

teach all of the features as recited in claim 38, applicant requests reconsideration and allowance of claim 38 and claims 39-40, 42, and 47 depending therefrom.

Claim 41 was rejected under 35 U.S.C. 103(a) over Powers in view of Foley and Bardon as applied to claim 39 and further in view of Luebke. Claims 43 and 49 were rejected under 35 U.S.C. 103(a) over Powers in view of Foley and Bardon and further in view of White. Claims 44 and 45 were rejected under 35 U.S.C. 103(a) over Powers in view of Foley and Bardon and further in view of Miodonski. Applicant respectfully traverses. Claims 41 and 43-45 depend from claim 38 and are believed to be allowable therewith. Claim 49 depends from claims 48 and is allowable therewith.

Claim 46 was rejected under 35 U.S.C. 103(a) over Powers in view of Foley, Bardon and Miodonski as applied to claim 44 and further in view of “Tomb Raider Level Editor” (Tom Raider). Claims 54, 54, 56, 57, 63-65, 70, 81-85, 88-90 and 92 were rejected under 35 U.S.C. 103(a) over Miodonski as applied to claims 51, 77, and 87 in view of Tomb Raider. Applicant respectfully traverses and asserts that Tomb Raider is not believed to be a reference against the present application. Applicant herewith files a Declaration under 37 C.F.R. 1.131, which establishes invention of the subject matter of these claims prior to the effective date of Tomb Raider as a reference. Reconsideration and withdrawal of all rejections based at least in part on Tomb Raider are requested.

Applicant further supports patentability of the claims over the above rejections as follows. The subject matter of the present patent application relates to the PlayStation 2 game, TimeSplitters, and in particular to the MapMaker feature of this game. When the game was introduced this was entirely new – nothing like it had been seen previously and it was recognized by users as a major innovation. In consequence it has been an outstanding commercial success. This can be seen, for example, from the highlighted portion of the attached preview of the game dating from 24 July 2000, see Exhibits attached to Declaration filed herewith.

One important feature of MapMaker is its simplicity – it is possible to build a working 3D virtual environment suitable for a first person shooter-type game in a matter of minutes using

just a games controller. By contrast the techniques described in the prior art references all require many hours of work to create a 3-dimensional world and, even then, do not produce a result which is suitable for use in a game, as explained further below.

Broadly speaking one main concept underlying MapMaker is the use of 3-dimensional components or building blocks each of which defines a 3-dimensional internal geometry, which can be joined together, preferably at defined interfaces, to build a complete 3D virtual environment. The way in which the blocks are joined together is defined by map data which can be specified quickly and easily, for example using a game controller. As each component or block defines a (substantially complete) 3D internal geometry the components or blocks can simply be joined up to build a complete 3D virtual environment for a game. Preferably a component or block includes other game-related data such as collision geometry, portals, non-player character (NPC) navigation points, spawn points and the like, and preferably these are also joined up when components/blocks are joined, for example joining collision geometry, removing duplicate portals, and linking NPC navigation points in different components/blocks.

There is one aspect of assembling the components/blocks to define a 3D virtual environment which is vital for correct operation of a game. This is that the 3D internal geometry of the components/blocks forming the virtual environment must join up to define a substantially contiguous, internal 3D surface, this surface enclosing the 3D virtual environment. If this is not done a game may not work properly or at all (page 5 lines 31 to 33; page 38 lines 3 to 10; page 69 lines 16 to 19). None of the prior art references disclose 3D virtual environments with this constraint, nor how to achieve it, which is not surprising since none of the cited references is concerned with the generation of a 3D virtual environment for a computer game. Thus to clarify the claimed subject matter claim 1 has been further amended to recite that the 3D virtual environment is for a computer game.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 349-9587 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date

2 April '04

By

Timothy B Clise  
Reg. No. 40,957

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2nd day of April, 2004.

PATRICIA A. HULTMAN

Name

Signature



S/N 09/852,126

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	David G. Doak et al.	Examiner:	Linzy McCartney
Serial No.:	09/852,126	Group Art Unit:	2671
Filed:	May 9, 2001	Docket:	1365.046US1
Title:	METHODS AND APPARATUS FOR CONSTRUCTING VIRTUAL ENVIRONMENTS		

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**EXHIBIT A**

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The former Goldeneye boys, Free Radical, create one hell of a console first-person shooter.

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Five movies of Free Radical's amazing first-person shooter that show off its map making feature.

**Features**[July 11, 2002](#)**TimeSplitters 2 Multiplayer Madness**

Free Radical brings back the popcorn madness; screens and movies.

[October 16, 2000](#)**The PlayStation 2 Review Guide**

IGNPS2 delivers the complete guide to all of the launch games coming to PlayStation 2 on October 26.

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Now that we've played all of the PS2 launch titles, our top five picks have changed a little.

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IGNPS2 takes a deeper look at one of TimeSplitters' biggest components, the Map Maker.

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Eidos Interactive

**Developer**

Free Radical Design

**Genre**

First-Person Shooter

Origin: U.K.

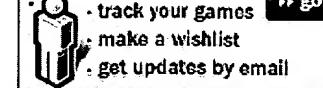
Number of Players: 4

**Release Date**

October 26, 2000

**ESRB Rating:**

T

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Free Radical talks about 4-player action, PS2 hardware, and life after Perfect Dark; 20 new screens!

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Free Radical comes to town to talk about its kick-ass first-person shooter sequel. New info & shots.

January 29, 2001

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November 10, 2000

### Unreal Tournament Versus TimeSplitters

You know it had to happen - a lengthy comparison of the PlayStation 2's first-person shooters.

October 11, 2000

### PS2 Ads: TimeSplitters

Today, we take a look at the second print ad for Free Radical's amazing PS2 first-person shooter.

August 11, 2000

### PS2 Ads: TimeSplitters

Eidos is pushing its PS2 launch title with full two-page spreads. It's one of the first PS2 ads.

August 11, 2000

### The Advertising Avalanche Begins

PlayStation 2's North American offensive has begun -- we take a look at some of the first print ads.

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### Doug Trips in the UK: England is Hot

What happens when a Yankee game editor goes to England, gets no sleep, and visits the Dali Museum.

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### IGN Journeys to England for PS2 Treasures

EIC Doug Perry visits the motherland with plans to stop at PS2 developers Free Radical and Core.

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### Eidos Set to Release 10 Titles on PS2

In a financial statement, Eidos revealed its PS2 plans -- we list eight of its 10 planned titles.

June 13, 2000

### Eidos Talks About Its Plans

Established brand names and future generation platforms to help garner financial success.

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### Top upcoming games in this genre:

1. Halo 2 (Xbox)
2. Half-Life 2 (PC)
3. DOOM 3 (PC)
4. DOOM 3 (Xbox)
5. Half-Life 2 (Xbox)

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- ~\*~\* Xeo's Big 10K Celebration \*~\*~ (56K may have problems)
- posted by: xeowulf- last activity (PST): 3/30 08:33am
- \*\*\*TimeSplitters Board Community Chat\*\*\*
- posted by: CaptFalcon00- last activity (PST): 3/30 05:53am
- ~\*~\*~\*~\* TimeSplitters 2 Brawl\*~\*~\*~\*
- posted by: LegendaryPik- last activity (PST): 3/30 05:50am
- \*\* TimeSplitters 2 FAQ (possible spoilers) \*\*
- posted by: Tal-IGN- last activity (PST): 3/30 03:59am
- Between Brawl TS regular survivor game!
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S/N 09/852,126

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David G. Doak et al. Examiner: Linzy McCartney  
Serial No.: 09/852,126 Group Art Unit: 2671  
Filed: May 9, 2001 Docket: 1365.046US1  
Title: METHODS AND APPARATUS FOR CONSTRUCTING VIRTUAL  
ENVIRONMENTS

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EXHIBIT B



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## TimeSplitters Hands-On Preview

IGN goes to Free Radical Design in England to play the latest build of the bristlingly fast FPS.

July 24, 2000 - Nottingham, England -- I have to be honest with you. I was more than just excited to visit Free Radical Design today in its Nottingham studio today. I spent the better part of 1997 and '98 playing a game called Goldeneye, and many of the members from the Rare team that worked on Goldeneye started Free Radical. So, being able to talk with these guys, and play their early 60% (or so) complete first-person shooter for the PS2, was more than a thrill, it was an honor.

All mushy compliments aside, TimeSplitters is on its way to becoming truly great, but it still needs some work. First, the game isn't done, which is expected, since I saw it on July 22, and launch is October 26. There are many fine points that need to be addressed, and the laundry list looks like this: the finished look of the menu isn't in place; the team has to decide and implement where to put a cap on the killer level editor; the final choice of weapons hasn't been decided yet; the team needs to decide on the placement of enemies and weapons, and perhaps most importantly, exactly what button configuration the game should be controlled by. The best aspect of the button control configuration is that Free Radical wants to enable players to use as many possible configs as possible, providing dozens of choices. Right now the team is working on the nine single-player levels (all of which will be unlocked as a reward in the multiplayer mode), after already having created most of the multiplayer levels prior to E3. All in all the team has about two or so months to finish TimeSplitters, and it looks like it's well on its way to making its launch goals.

These issues are always part of completing any game. What's so impressive about this particular game is that despite all of the wrinkles that need to be ironed out, it already plays extremely well. TimeSplitters is teeth-nashing fun. It plays with a greased lightning speed and fluidity that I am simply not used to with console-based first-person shooters. The game runs at near blinding speeds (60 frames per second) with four or more players on screen in a standard deathmatch, and as soon as I got to grips with the controls and found a few weapon spawning points, I was having the time of my life. The game played at the same speed and whiplash action as Quake III; yes, it was that fast and chaotic, and that adrenaline-pumping and aggro. In short, it was that kind of blistering fun.

Like I said in the previous article, "What Games Will We Buy At Launch?" I am putting my money down for TimeSplitters. With deathmatch mayhem using the PS2 multitap, a nearly limitless level editor that's robust and quick, and a next-generation look and feel, it's easy to see why the game should be an instant must-have title at launch. Perhaps even more of a reason to buy it is that TimeSplitters is one of the few original, non-sequel games coming to the PlayStation 2.

With a light theme running throughout it that highlights arcade action rather than to follow a heavy storyline, the single-player game can still go in many different directions at this point. Each level represents a time period from 1935 to 2035, a heavy gangster period to military themes to science fiction, all with a tongue-in-cheek, consciously derived B-movie qualities. The objectives range from searching out items, to simple escape, to recovering objects from enemies. Each requires that you make it out of the level alive. Stealth isn't as important as quick aim and strategic maneuvering. Players can be attacked from enemies in front of them, behind, and from up above, so being quick and having a good eye

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These guys are the TimeSplitters, evil, fast-moving baddies. They're fun to kill.

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is key, but constantly being on the go and finding a place to hide is quite smart, too.

In the early level I played, level six, enemies threw grenades and dynamite at me, and pummeled me with gunfire from the rafters above. On several occasions I was overwhelmed by huge waves of baddies. In another level, the enemies showed surprisingly good AI. They ducked and hid, ran up stairs after me, and didn't stand around waiting to be shot; they took cover and appeared to have planned their attacks. Several times, enemies I didn't see or hear crept up from behind me and took me out in a second with a headshot. Humiliating as it was, that's just the kind of smart AI I love to play against. With three difficulty levels, easy, medium, and hard, players can graduate to higher skill levels when they're ready.

TimeSplitters has 18 levels in total, nine for the single-player game, "Story," and nine specifically for the deathmatch mode, "Arcade." As aforementioned, once you open up all the levels, they're all playable in deathmatch, meaning that all 18 will be selectable. Arcade mode is made up of a handful of multiplayer minigames, such as Capture the Bag (very much like Capture the Flag, except that you carry a giant bag from the enemy camp to your own), Escort (escort somebody from point A to point B without dying), Deathmatch (deathmatch, duh), and Last Stand (which records high scores for the player who can withstand the biggest swarms of enemies and grab the highest scores).

Probably the most amazing aspect to TimeSplitters is its Level Editor. The thing is so powerful; it's amazing. You have 16 pieces to work with, from rooms to hallways to whatever else, and you can build on a single floor, or up to eight floors! Yes, you can build an eight-floor map of your own and build ways to shoot people from the eighth floor to the fifth, or the fourth, or whatever. The map pieces that you use have plugs, or doorways, that are shown on the selected piece, which is highlighted on the right, as you plug it onto a grid-based 2D slate. Right now, the level editor is so robust that you could build huge, monstrous, gigantic (you get it, I mean really frickin' big!) eight floor levels with hundreds of rooms. Of course, that's not always the best way to design a level. But if you wanted to, you *could* build it. Better yet is that because the maps have been built to take up such little space, you can save hundreds of self-created maps on your 8 MB memory card.

Just to demonstrate the engine's power, David Doak (Remember Dr. Doak in the second level of Goldneye? That's him.) created a map using the editor in about five minutes and then we all got to play. He used the editor to create spawning points for characters, weapon spawning points, chose five different kinds of weapons from a total of 24, and picked a texture theme, which instantly textured the whole level, and then in seconds it was done, and were cursing at each other like madmen. What a frickin' riot! It was like playing Quake III in four-player split-screen? total rapid-fire mayhem! They had to cordially tell us to stop playing so that they could get back to work.

A few other important miscellaneous notes: The sound effects and music are superb; the character names are hilarious, like Chastity Detroit and Sebastian Photon; the guns have primary and secondary firing actions (for instance, the photon gun shoots regular and bouncing projectiles); the game is filled with 50 different enemies; the particle engine is superb, showing off spectacular sparks, fire, and smoke; and the game is probably going to receive a T rating. There is violence, but there is no blood.

As always with a great game such as TimeSplitters, we'll have more information, screenshots, and movies in the near future.

--Douglass C. Perry

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S/N 09/852,126

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: David G. Doak et al. Examiner: Linzy McCartney  
Serial No.: 09/852,126 Group Art Unit: 2671  
Filed: May 9, 2001 Docket: 1365.046US1  
Title: METHODS AND APPARATUS FOR CONSTRUCTING VIRTUAL  
ENVIRONMENTS

---

**EXHIBIT C**

Serial Number: 09/852126  
Filing Date: May 9, 2001  
Title: METHODS AND APPARATUS FOR CONSTRUCTING VIRTUAL ENVIRONMENTS

Page 2  
Dkt: 1365.046US1

5. Attached to this Declaration is Exhibit B, which includes a printout from the IGN Entertainment web site (<http://ps2.ign.com>) of the article titled "TimeSplitters Hands-On Preview", dated July 24, 2000. This article describes Level Editor, which is at least part of the subject matter of the present invention.

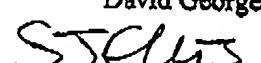
6. Attached to this Declaration is Exhibit C, which includes a printout from the IGN Entertainment web site (<http://ps2.ign.com>) of the article titled "Making Maps and Splitting Time", dated August 2, 2000. This article describes the Map Maker, which is at least part of the subject matter of the present invention.

7. Attached to this Declaration is Exhibit D, which includes printouts from the IGN Entertainment web site (<http://ps2.ign.com>) of the article titled "TimeSplitters, Five movies of Free Radical's amazing first-person shooter that show off its map making feature", dated October 9, 2000. This article describes the map making feature in the TimeSplitters video game, which is at least part of the subject matter of the present invention.

8. Following the completion of the present invention, we diligently assisted our patent counsel to prepare and file the present patent application. The present application was filed May 9, 2001.

9. We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date 31 MARCH 2004 By   
David George Doak

Date 31 MARCH 2004 By   
Stephen John Ellis



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## Making Maps and Splitting Time

IGNPS2 takes a deeper look at one of *TimeSplitters*' biggest components, the Map Maker.

August 02, 2000 - Free Radical Design and Eidos are on to a good thing. When a good portion of the creative force that created *Goldeneye* and *Perfect Dark* left Rare and started up their own company, they brought with them both talent and creativity. Perhaps even better than that is the team's desire to make its games flexible.

I don't mean bendable, or games that are possibly linked up with future patches downloadable from the Net, I mean customizable from the get-go. Remember how many different selectable game options there were in the Multiplayer mode in *Goldeneye*? Players could combine what seemed like limitless combinations of options that helped to elevate *Goldeneye* to new levels of replay value. The same values hold true in *TimeSplitters*' map building feature.

Along with its supermodel looks, intense fast-action, and its multiplayer mode, *TimeSplitters*, the team's first [PlayStation 2](#) game, features an amazingly deep, nearly limitless map building feature. The Map Maker enables players to build their own multiplayer levels with a set of tools built into game, and it's extremely powerful. Players can create massive environments, with vast amounts of real estate, and build up in addition to out. The tool enables players to build levels that are as high as an eight-story building, with stairs and ramps that link them all together.

Perhaps even more impressive is that each self-build environment ends up being about 30K to 50K on your [PS2](#) Memory Card. Given that the new PS2 Memory Card is 8 MB, it would take you dozens of levels to even approach the maximum on the Card. The way it's done is that the frames or architecture of the levels are created (sort of like the initial beams and girders of a skyscraper), and then they're saved and output to the memory card. Once you call the game to load up a saved level, the walls, characters, weapons and textures -- i.e. the other, "heavier" stuff -- are called up from the saved data, grabbed, and placed into the saved frames. Together they make up your level. While that may be a tad bit simplistic of an explanation, that's how it's done.

Levels aren't incredibly complex to build either, which makes it even better, because just about anybody can build one. Taking a slightly different angle than in *Goldeneye*, *TimeSplitters* takes a straightforward, simple text-based approach to building levels. Here's a run-through on the Map Maker.

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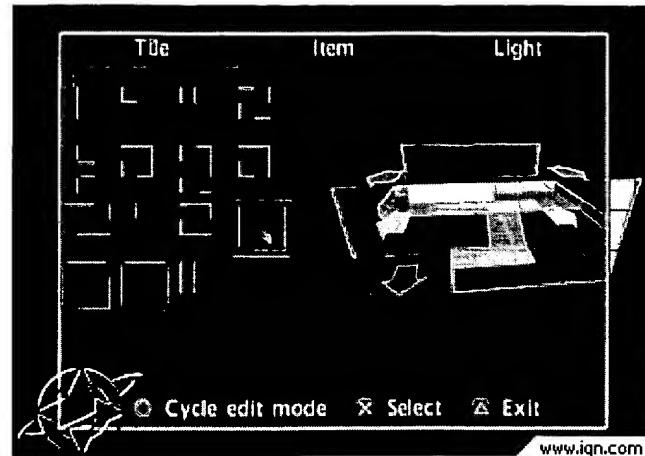
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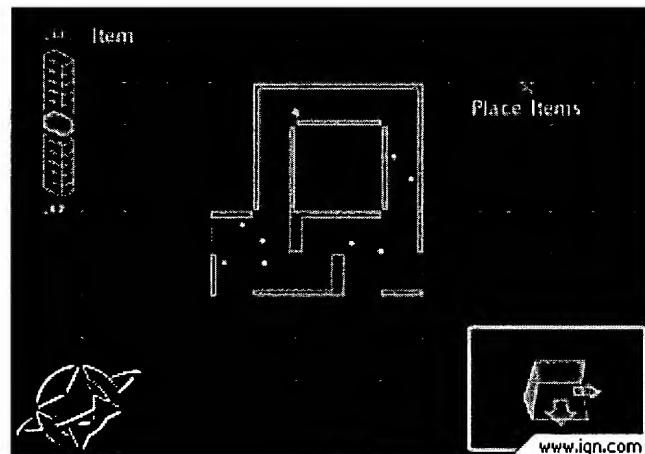
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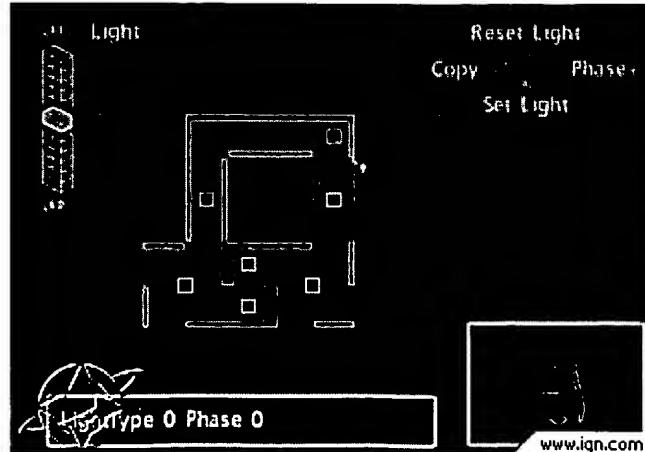
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Players start by choosing the map making feature. The next step is envisioning their map, and using the tools to build it. Players grab and place the different room "tiles," and connecting them using the floating cursor shown on the screen. The pieces consist of room parts, such as corners, and room kinds, and others called "plugs," which connect the various parts together. The highlighted wireframe level can be swirled around and moved so that players can see the level from many different angles.



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Once you have built a room you feel comfortable with, you can then pepper it with various items, such as spawning points for drones, real characters, and for weapons and miscellaneous other items. The list is huge, and includes weapons, kinds of characters, texture sets, lighting, and more. The little colored dots represent the placed items. The highlighted section shows the player placing a tile corner, connecting one huge square hallway.



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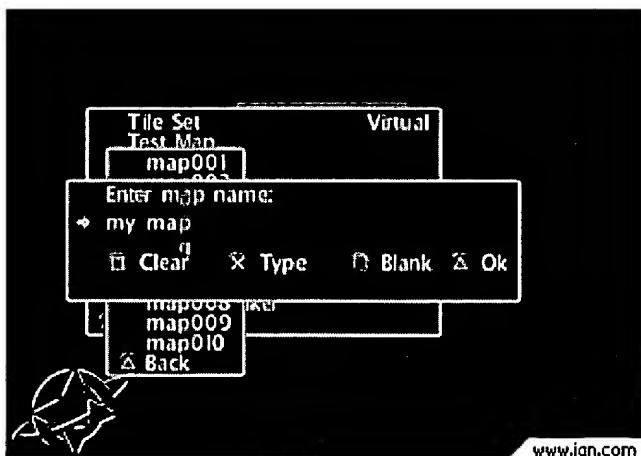
Using the light setting, players can set the kind of lighting they want in the level, from red to blue to green, and several other choices. Setting the lighting may seem trivial but it definitely affects the mood and tone of your level, be it grim or chipper.

---



Once players have set all of the parameters, then they can choose the texture set. This function sets the way your level will visually appear in the game, whether its an industrial set of textures that wrap around the polygonal walls, or whether its military, ancient ruins, gothic, industrial, or others, you can choose the way it looks. You'll see in the screenshots below what a self-created model looks like.

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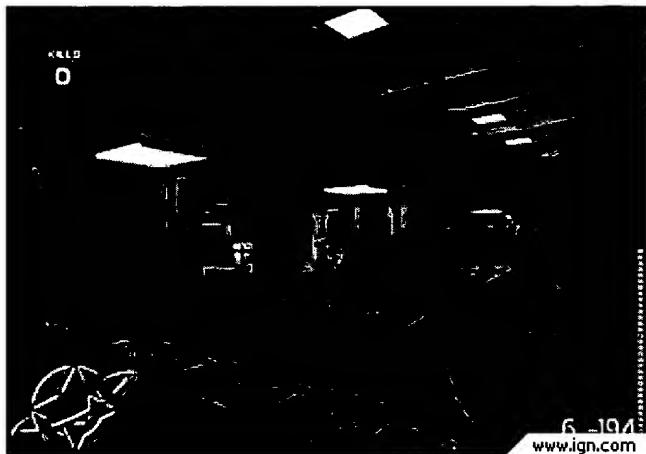
Once you have finished building, you can name and save your map, watch the system construct it in seconds, and jump into it within a matter of seconds. or if you want, you can randomly build levels, or upload a friend's level from his or her memory card.

---



As you can see, this self-made map is great looking. Those textures you see there are part of a package. You don't have to set each one individually, instead, you simply choose the "texture package" and click on the one you like. After testing the level, and sampling your creation, you may not like some aspects. You can return to the editor and swap texture packages or change whatever, be it spawn points, weapon selections (about five kinds per level), etc. See that item? That's a spawning point for shields. Pick it up for more protection!

---



Another wonderfully appealing level, set with one hungry two-gun toting gamerplayer. Again, notice how the textures -- clean and patterned -- have been placed. That's instant, baby. Also, take note of the ramps on the right, this leads to the next story, of which you can place as many as eight. Players can strategically place these for sharp-shooting or for creating more complexity and more room in which to run around.

---

Once players buy *TimeSplitters*, they'll play through the single-person game, and then dig deep into the four-player multiplayer, and quickly into the level editor (though probably not in that order). Just like *Goldeneye* and *Perfect Dark* before it, it's a pretty good guess that *TimeSplitters* will deliver the same long replay hours. Like I have said before, I can't wait 'til launch.

For a deep preview at the game itself, check out our **[TimeSplitters preview](#)**; or for the hands-on feature, check out **[TimeSplitters Hands-on Preview](#)**.

*--Douglass C. Perry*

S/N 09/852,126

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David G. Doak et al. Examiner: Linzy McCartney  
Serial No.: 09/852,126 Group Art Unit: 2671  
Filed: May 9, 2001 Docket: 1365.046US1  
Title: METHODS AND APPARATUS FOR CONSTRUCTING VIRTUAL  
ENVIRONMENTS

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## TimeSplitters

Five movies of Free Radical's amazing first-person shooter that show off its map making feature.

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## October 09, 2000 - Map Maker Movies

One of the coolest features that you can find in *TimeSplitters* is the game's ultra-cool map making feature that has one of the easiest to use and most robust interfaces that we've ever seen on a console game. We've already posted quite a bit of information and there's not much more that we can really add at this time. However, we felt that we could give you a better look at the map maker functions by allowing you to check out some movies of a level that I created myself in several different tile sets. Even though they're all from the same level, you'll notice that changing the tile sets makes the level look and feel almost completely different. It's damn cool and is another point in the favor of Free Radical's first-person shooter.

## New Impressions

When it comes to great framerates and unparalleled head-on action, the PS2 has it going on. With *TimeSplitters*, Eidos and Free Radical have unearthed a great idea, which is deliver a blisteringly speedy multiplayer game that's easy to pick up and play and is a simple way to blow off an entire afternoon with up to four people. Now, we have a *fully operational* version in-house with which to blast the stuffing out of each other. Our version is nearly complete, and it's got just about everything you can think of in it, including the latest ability, which is to throw a brick. That's right, when you're completely out of weapons, use this brick. It breaks windows and is better than a karate chop to the neck any old day. And hey, when all else fails, "use a brick" even has a little ring to it.

Anyway, we already have written at least 3,000 words on *TimeSplitters*, which is more than enough digital ink to tell you what's up with this game -- it's good, it's fun, and although it may not be the most complex game on the PS2 list (in fact, it's far from it), *TimeSplitters* should be on your most wanted list. It's certainly on ours.

So, go check out these movies and while you're watching them, imagine the kind of foul language and affrontry that you've used in your last multiplayer matches in any game. Then you'll know just what we were saying to one

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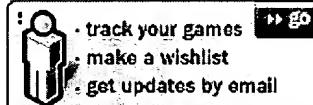
*TimeSplitters* forges through several decades, from the past to the future.

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## details

Publisher  
Eidos Interactive  
Developer  
Free Radical Design  
Genre  
First-Person Shooter  
Origin: U.K.  
Number of Players: 4  
Release Date  
October 26, 2000  
ESRB Rating: T  
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another when we bashed the daylights our of each other this afternoon. We promise to have even more soon! Oh yeah, and it's the first time the bitter N64 guys have played a PS2 game without bitching about something. (*And just think, when the PS2 launches with 26 games it'll have more good games than the Nintendo 64 after four years! D'oh!*) Last but not least – don't think that this is the last you've seen of TimeSplitters, we'll have even more tomorrow!

–*Douglass C. Perry*

### Hands-on Impressions

There should be plenty of blood spilled before the PS2 first-person shooter wars are over. I hate having to choose sides in this sort of thing, at least when it pertains to games I like -- I still can't consistently say whether I prefer Unreal Tournament or Quake III (unless I'm trying to give somebody a hard time), and now I've got people asking me about Unreal Tournament versus TimeSplitters. It's making my head hurt already, and things won't even begin in earnest until two months from now, when both games ship.

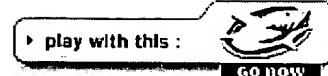
So I'll sweep the ho'od win argument under the rug for now and just say that TimeSplitters is a hell of a lot of fun, even in the incomplete version that we played today at Eidos' office in SF. The single-player mode doesn't seem to have much depth in comparison to Goldeneye or Perfect Dark, but let's face it, the single-player mode in those games was what you suffered through to unlock all the deathmatch goodies. TimeSplitters cuts out most of the middleman and concentrates on delivering a very fast, very smooth deathmatch game with a lot of staying power. The weapon arsenal is large, there are lots of bots and levels to pick, and the map editor is looking even more impressive than it used to, which is saying something.

It's not entirely shocking to discover that, in essence, TimeSplitters feels a great deal like Goldeneye. What is shocking for a moment is how fast it moves, until you accept the fact that a Goldeneye-style FPS could actually run at a playable framerate, instead of giving you the impression that somebody slipped a few Quaaludes in your drink. At this point, TimeSplitters runs at a very clean 60 frames until you really start throwing in the bots in the split-screen mode. Two players with five bots skipped only occasionally, and while four players with 10 bots slowed things down a fair bit from the norm (that's the maximum possible player load), it was still perfectly playable.

The single-player mode, meanwhile, is as smooth as you could ask, although it doesn't seem to be all that deep in terms of objectives. Your basic goal over each one is to go in, find a particular object, and escape, which is pretty simplistic, even with the cooperative multiplayer option. There seems to be little of the careful planning that characterized Goldeneye's single-player missions – just fire up the old minigun and plow through the bad guys.

The deathmatch game is where it's at, however, and I definitely like how that one plays. The Goldeneye-style controls actually work better on a PlayStation Dual Shock than the Nintendo 64 controller, I think, especially with the snappier analog sticks on the Dual Shock 2. The left stick moves you forward, backward, left, and right, while the right stick moves your aiming point (like the mouselook in a PC FPS). You can circle-strafe with ease and pick off targets above and below you without skipping a beat, using the right shoulder buttons for primary and secondary fire. Best of all, all of the control settings can be customized.

The inclusion of multiple fire types (a la Perfect Dark or Unreal) adds a lot to the already broad arsenal, which draws a nicely eclectic character from the game's time-travel theme. As in Perfect Dark, you can pick up to five different types of weapons for any given multiplayer level (although the arsenal is set in each single-player mission), and the contrasts can get pretty bizarre - imagine a map loaded out with, say, Mauser pistols, alien rocket launchers, an automatic raygun, twin Uzis, and a single-shot blunderbuss. The weapon variety is great, both in terms of the number of guns you can pick up and the number of different things you can do with them. There's a cool spreading rocket launcher like the one from Daikatana Deathmatch, some nifty rayguns with ricochet capabilities, a grenade launcher with contact or proximity triggers, and plenty of trusty slug-throwers to chew up the opposition with. The opposition, speaking of which, includes everything from underclad nurses to shaggy-haired cops to SWAT



## screenshots



Free Radical promises smooth framerates even in four-player mode.

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Players can get into two-player, three-player, or four-player deathmatches.

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This motley crew hopes to appeal to your sense of gaming action but also your sense of humor.

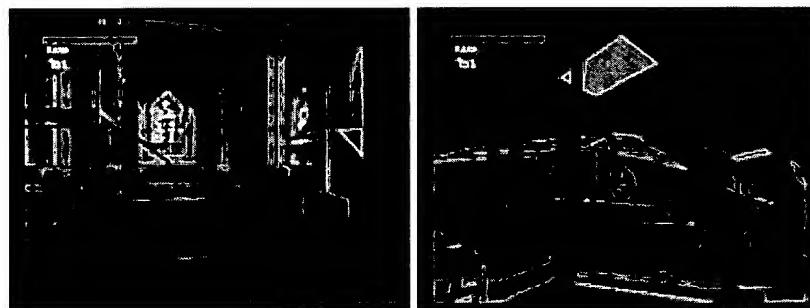
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teams to a fistful of goofy-looking aliens - that time travel turning up the silliness quotient once again. Most of the character models are a little oddly proportioned, but they suit the game's cartoonish presentation well enough, and they animate as smoothly as you'd wish. Each of them has a signature animation when you pick them on the select screen, and most of them will definitely draw a few chuckles.

We also got a look at the updated mapmaker today, which is looking even better than when we covered it in detail at E<sup>3</sup> (see below). The most impressive feature now is how the different level themes affect textures and architecture. There are themes for homebrewed levels that come from the different single-player missions - a Gothic level from the late nineteenth century, alien levels from the future, and so forth. At E<sup>3</sup>, the themes just placed different texture sets on a basic architecture that was the same for every theme.

Now, the different themes each give radically different shape and look to the basic level elements. The biggest tile in the level editor is a large, multilayered room, with about four exits connected to split-level elements in each corner and a large open space in the middle. In the Alien theme, this is a large, round area, with curved edges for all the platforms and a massive chunk of futuristic machinery in the middle - very impressive. But what's even more impressive is when you load up the Gothic version of the same level, whose architecture is barely recognizable as being the same basic template. Now it's a cathedral, all hard, spiky edges, with high vaulted ceilings and gorgeous stained-glass windows along all the walls. The platforms are now scaffolding, with an especially tall construction in the middle and stairs leading up to the nave at one end.



**These two screens are from roughly the same place in the tile, just a different theme. Trust us, we're not joking.**

There are some unusual things about TimeSplitters' weapon design and stage layout that may be problems, or maybe we just need to spend some more time getting the hang of things. Put too many characters in a level and you'll spend way too much time unarmed (there are melee attacks, but they don't work all that well), and a few weapons, like the grenade launcher, seemed like they could use some tuning to make them more or less effective - the secondary fire on the grenade launcher plowed through opponents like nobody's business.

The main problem with TimeSplitters, though, is that Eidos won't let us keep it yet. Once it does, though, expect a more thorough going-over, and hopefully more good news on how the game is shaping up. For today, check out all our new screens and the exclusive new movie.

-- David Smith

#### **E<sup>3</sup> Impressions**

Eidos today showed us a somewhat unexpected surprise in the form of TimeSplitters, a first-person shooter for PlayStation 2 currently being developed by Free Radical Design, Ltd., a group formed from half of Rare's eight-member GoldenEye development team. Some of the developers are also veterans of Perfect Dark, but now that they're on their own, they seem to be moving away from the slow, intricate model of either game (not to mention their anemic framerates). Instead, TimeSplitters will simply bring a quick, good-looking, easy-to-play shooter to the launch of PlayStation 2, with an extra-deep multiplayer mode to give the game staying power.

Thematically, TimeSplitters is inspired by a little of John Woo's films, a little of Heat, a little of LA Confidential, and a whole lot of B-movie schlock. It takes place in nine historical levels, from the 1930s to the 2030s, each inspired by a different "bad film" tradition. The '30s descend into a haunted Egyptian tomb, the '70s feature shaggy-haired cops vs. Triads action, and the future is populated by aliens, mutants, cyborgs, and other refugees from the special-effects department. Watching over the meta-plot that connects all the episodes are the shadowy TimeSplitters, but it might be wise to not think all that hard about it. The single-player game's emphasis is on tongue-in-cheek humor and fast shooting action, rather than heavy plot or intricate objectives.

The architecture and textures still look a little bit rough, particularly around edges and joints (lots of sharp corners), but you can't argue that the game moves extremely fast. Large levels with eight opponents scattered throughout didn't seem to tax the engine much at all, even when four or six characters shared the screen with gunfire and special effects (including a very nice gunsmoke effect). Sixty frames per second is the order of the day, and the developers say that goes for the four-player split-screen mode as well.

Speaking of four-player mode, there's where it's at. Free Radical's core members agreed that the multiplayer game was what really made GoldenEye a cult to keep forever, thanks to all the different modes and customization options. TimeSplitters is taking that philosophy and running with it, adding even more modes, even more options, and an awesome deathmatch level editor. Unlike the complex editing systems for PC first-person shooters, which require a reasonable amount of technical expertise, the TS editor is designed to let anyone produce a fun deathmatch map in less than five minutes. You plug little room and hall segments together like Tinkertoys, working on all three axes to build an interesting and varied level. The parts are very versatile -- they come with pre-arranged ins and outs, but if you stick two rooms adjacent to each other it's easy to eliminate the dividing wall and build an extra-large room. Some rooms occupy two or more levels on the Z-axis, which makes it a cinch to build upward as well as outward.

One of the developers threw a small level together for us in about 30 seconds, and then ran around it showing us some of the potential involved. That seemingly random quick-study had two floors, large rooms, hallways, ramps, and potential ambush and sniping points. What's really surprising is how many levels you can save on the PS2's hard drive or memory card. Since they're built out of stock parts that just use a few variables for their position and options, an entire level could weigh in at under one kilobyte -- for the non-technically minded, that's 1/8000th of a PS2 memory card. That's even taking into account options for their basic cosmetic appearance. There are different themes that you can select to give the level a little character (sci-fi, gothic, tomb, whatever), and you can add multi-colored lighting and change the way it behaves (make it flicker or pulse, for example).

If you ever finish fiddling with the editor and want to actually fight, you can pick from among modes like Capture the Bag, Escort Assassin, Knockout, Target Practice, Flag Tag, and Reverse Flag Tag. Instead of GoldenEye's stock weapon assortments, you can choose exactly which weapons you want in the level, creating anachronistic clashes like tommy-guns versus plasma cannon. The list of character models is vast, even at this early stage in development -- they're still a little weedy and angular, but the variety available is hilarious. A typical match could pit middle-aged police detective Nathan Wind (think "Sabotage") versus any of a number of underclad heroines versus mummies, zombies, or other shambling monsters versus the cyber-enhanced thugs of the twenty-first century.

We're told Free Radical has another, more serious shooter in development, which may be more of a technical exhibition -- the developers say problems like anti-aliasing are being let go for now in favor of focusing on the framerate (a vital aspect of any FPS). For now, though, TimeSplitters should supply the PS2 with what it needs in the way of deathmatch action. The weapon arsenal is large and varied, including strategy-oriented armament like sniper weapons and ricochetting energy cannon (shooting around corners, anyone?), and the action shouldn't disappoint. With a fine complement of stock arenas and the level editor to make the game world functionally infinite, it's liable to make for many

an evening of genial slaughter among friends, and the developers are confident that they'll be able to meet the launch of PlayStation2.

-- David Smith

What? You want more? For another set of impressions check out [TimeSplitters Hands-On Preview](#). Also, make sure to check out our full-length feature on TimeSplitters's sexy map-making feature, [Making Maps and Splitting Time](#).

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- posted by: LegendaryPik- last activity (PST): 3/30 05:50am
- ~\*~\* Xeo's Big 10K Celebration ~\*~\* (56K may have problems)
- posted by: xeowulf- last activity (PST): 3/30 05:45am
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